

# DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

Atty. Docket No. FUNU 0102 PUSP  
First Named Inventor Michael P. Wenniger

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## NUTRITIONAL WEIGHT LOSS AGENT AND METHOD,

the specification of which:

☒ is attached hereto; or  
☐ was filed on (MM/DD/YYYY) \_\_\_\_\_ as U.S. Application Number or PCT International Application Number \_\_\_\_\_, and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable). (I hereby authorize my attorney to insert the application filing date and number when they become known.)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

<i>Prior Foreign Application Number(s)</i>	<i>Country</i>	<i>Foreign Priority Date (MM/DD/YYYY)</i>	<i>Priority Not Claimed</i>	<i>Certified Copy Attached? (Yes/No)</i>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<i>Application Number(s)</i>	<i>Filing Date (MM/DD/YYYY)</i>
60/474,458	05/30/2003

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<i>Application Number(s)</i>	<i>Filing Date (MM/DD/YYYY)</i>	<i>Status: Patented, Pending, Abandoned</i>

**Declaration for Patent Application (cont'd.)**

Atty. Docket No. FUNU 0102 PUSP

I hereby appoint the practitioners associated with Customer Number 22045 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number. Telephone calls should be directed to (248) 358-4400.

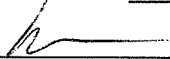
**CUSTOMER NO.**

**22045**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

*Full Name of Sole or First Inventor* Michael P. Wenniger

Inventor's signature



Date

05/15/04

Mailing address 1145 W. Southern Avenue #2, Tempe, Arizona 85282

Residence (Same As Mailing Address)

Citizenship USA

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**Michael P. Wenniger**

Serial No.: To Be Assigned

Filed: Filed Herewith

For: NUTRITIONAL WEIGHT LOSS AGENT AND METHOD

Attorney Docket No.: FUNU 0102 PUSP

**CONSENT LETTER**


Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The attorney/agent identified below has reviewed this application and its attachments and consents to its electronic filing.

Respectfully submitted,

**Michael P. Wenniger**

By:   
Michael S. Brodbine  
Reg. No. 38,392  
Attorney/Agent for Applicant

Date: May 26, 2004

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